

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

DISTRICT COURT
DISTRICT OF NH

UNITED STATES DISTRICT COURT

MAR 31 AM 10:06

for the

District of New Hampshire

FILED

____ Division

Jacob William Johnson

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

See attached Exhibit 1

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Prisoner Complaint)**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Jacob William Johnson		
All other names by which you have been known:	NONE		
ID Number	99139		
Current Institution	NH State Prison for Men, Berlin		
Address	138 E. Milan Rd.		
	Berlin	NH	03570
	<i>City</i>	<i>State</i>	<i>Zip Code</i>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Dr. Cecelia Englander		
Job or Title (<i>if known</i>)	Doctor		
Shield Number			
Employer	NH State Prison for Men		
Address	281 N. State St.		
	Concord	NH	03301
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input checked="" type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	John Lombard		
Job or Title (<i>if known</i>)	Registered Nurse		
Shield Number			
Employer	NH State Prison for Men		
Address	281 N. State St.		
	Concord	NH	03301
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input checked="" type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

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Defendant No. 3

Name	Denise Downing		
Job or Title (<i>if known</i>)	Registered Nurse		
Shield Number			
Employer	NH State Prison for Men		
Address	281 N. State St.		
	Concord	NH	03301
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
	<input checked="" type="checkbox"/> Individual capacity	<input checked="" type="checkbox"/> Official capacity	

Defendant No. 4

Name	Brad Bowden		
Job or Title (<i>if known</i>)	Registered Nurse		
Shield Number			
Employer	NH State Prison for Men		
Address	281 N. State St.		
	Concord	NH	03301
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
	<input checked="" type="checkbox"/> Individual capacity	<input checked="" type="checkbox"/> Official capacity	

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?
8th and 14th Amendment of the US Constitution

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

NONE

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
See Attached Exhibit 2- Formal Complaint

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (*explain*) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.
N/A

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.
NH State Prison for Men, Concord New Hampshire. Events started in March 2017

- C. What date and approximate time did the events giving rise to your claim(s) occur?
See Attached Summary - Exhibit 2

-
- D. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
See attached - Exhibit 3
Nursing Notes to substantiate claims furnished upon request
-

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Due to untreated Urinary Tract Infections and Bladder Retention issues my bladder permanently is damaged and I now require to self catheter in order to use the restroom

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Total of \$859,500.00 broken down as follows:

\$1.00 p/catheter X 6p/day = \$6.00 p/day X 365 days = \$2,190.00 p/year X 50 years = \$109,500.00 total cost for catheters alone

\$250,000. for additional medical expenses stemming from injury to bladder

\$500,000. pain and suffering (past, present and future)

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

NH State Prison for Men, Concord New Hampshire

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Yes, copies of actual grievences will be furnished upon request

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

NH State Prison for Men, Concord New Hampshire

2. What did you claim in your grievance?

Deliberate Indifference and gross negligence

3. What was the result, if any?

No resolution

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

Grievance process was completed, not satisfied with thier remedies

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

N/A

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

See attached Official Complaint- Exhibit 2

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) N/A

Defendant(s) N/A

2. Court *(if federal court, name the district; if state court, name the county and State)*

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

N/A

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) N/A

Defendant(s) N/A

2. Court *(if federal court, name the district; if state court, name the county and State)*

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

N/A

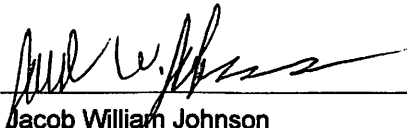
IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03-19-20

Signature of Plaintiff 

Printed Name of Plaintiff Jacob William Johnson

Prison Identification # 99139

Prison Address 138 E. Milan Rd.

<u>Berlin</u>	<u>NH</u>	<u>03570</u>
<i>City</i>	<i>State</i>	<i>Zip Code</i>

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

_____	_____	_____
<i>City</i>	<i>State</i>	<i>Zip Code</i>

Telephone Number _____

E-mail Address _____

Exhibit 1-The Defendant(s)

Defendant

Defendant No. 5

Name: Olivia Gamelin

Job or Title: Registered Nurse

Shield Number:

Employer: NH Department of Corrections

Address: 281 N State St., Concord, NH 03301

Individual Capacity and Official Capacity

Defendant No. 6

Name: Donna Dufresne

Job or Title: Registered Nurse

Shield Number:

Employer: NH Department of Corrections

Address: 281 N State St., Concord, NH 03301

Individual Capacity and Official Capacity

Defendant No. 7

Name: Martha Barbosa

Job or Title: Registered Nurse

Shield Number:

Employer: NH Department of Corrections

Address: 281 N State St., Concord, NH 03301

Exhibit 1-The Defendant(s)

Individual Capacity and Official Capacity

Defendant No. 8

Name: Karen Carr

Job or Title: Registered Nurse

Shield Number:

Employer: NH Department of Corrections

Address: 281 N State St., Concord, NH 03301

Individual Capacity and Official Capacity

5. Name: Fallon Marchand

Job or Title: Registered Nurse

Shield Number:

Employer: NH Department of Corrections

Address: 281 N State St., Concord, NH 03301

Individual Capacity and Official Capacity

Exhibit 2- Summary of Complaint

Complaint

Formal grievances were filed following the incidents listed below in the History section. Medical personnel, Director's, Warden's, and Commissioner's did not take action to provide corrective action and the situation continued. The medical staff was in violation of Policies, Procedures and Directives 1.01, 1.33, 2.30, 2.39, 4.02, 5.91, 5.95, 6.02, 6.14, 6.41, 6.47, 6.62. This is also a violation of Standards & Procedures.

Background

I have a False Passage in my penis. The primary passage in the urethra is prone to frequent blockage which requires that I use a catheter to empty my bladder. Two catheter options have been used as prescribed by Urologists. For approximately six months I used a Foley catheter and since then I have to use a 14 Fringe self-coude catheter due to the inability of voiding fully. I have to use these self-catheters as prescribed by Urologist.

A Foley catheter which must be inserted by trained medical staff and replaced at 30-day (max) interval. This requires a urine collection bag which is strapped to my leg and emptied as required.

Or

A self-catheter which is self-inserted using sanitary procedure. This is a one-time use device which requires a supply of 6 units per day.

Failure to properly utilize a catheter can lead to acute urinary retention (over full bladder) and urinary tract infection (UTI)

This complaint regards the repeated failure of NHSP to provide adequate and timely medical care thus placing me in harm's way. The following incidents are examples of occurrences where denial of medical care caused pain from acute urinary retention and urinary tract infection as well as the pain of physical

Exhibit 2- Summary of Complaint

and verbal abuse. This Complaint also covers the overdose of medications given to me as explained starting on page Exhibit 3-7.

Exhibit 3 – Underlying Facts

History

NAME: Dr. Celia Englander

DATE: March 3 and 4, 2017; August 6 and 7, 2018

On 3/3/17 RN John Lombard notified Dr. Englander via phone relaying all the symptoms I was experiencing which was not being able to void which subsequently built up to an excessive amount of urine in my bladder. Dr. Englander knew from urology reports that I had a False Passage in my penis. Despite this fact, she chose to tell Nurse John Lombard that “That inmate Johnson was overly fixated on his bladder”. Dr. Englander did not identify the symptoms of acute urinary retention, and allowed me to experience pain that made me feel like my bladder was bursting. My stomach was swollen and my body ached.

On 3/4/17 Dr. Englander was contacted by RN Denise Downing to relate my symptoms and Dr. Englander specifically gave instructions to not send me to the hospital despite my being in excruciating pain. She did not follow the Policy per Directives and put my life in jeopardy.

On 5/4/17 Dr. Englander did send me to the CMC hospital for replacement of the Foley catheter. Due to the medical personnel not being trained sufficiently to catheterize a patient. I have also had staff tell me, such as Olivia Gamelin and John Lombard that they weren’t good at catheterizing and haven’t done it in a long time. On August 21, 2017 after many unsuccessful attempts by Dr. Fetter, Nurse Ryan Landry succeeded. One of the Doctors from Manchester Urology, wrote a letter stating that if the Foley wasn’t changed per schedule that I could begin to experience pain, discomfort and the catheter itself can malfunction due to the Foley catheter not working properly. Eventually the Foley catheter was replaced by a self-catheter which I could replace myself. This required that I be provided with approximately 6 catheters per day which was rarely fulfilled.

Exhibit 3 – Underlying Facts

On 8/6/18, 8/7/18 and 8/30/18 Dr. Englander did not ensure that medical gave me the proper dose of medication. On 8/6 and 8/7, I was given 2400 mg of Oxcarbazepine Trilecto on yellow meds (A and D call) and .4 of Clonidine administered in doses on A & D call (yellow meds). On 8/6 and 8/7 I was given 2400 mg of Oxcarbazepine Trilecto on Red meds (A and D call) and .4 of Clonidine administered in doses on A & D call (red meds). All this happened on J-Tier in the SHU in Cell 7, in NHSP-Concord, NH. ON 8/30/18, I was given 1200 mg of Oxcarbazepine Trilecto on E-Tier at NHSP in the SHU administered by Nurse Olivia Gamelin on D call Red meds

NAME: Registered Nurse John Lombard

DATE: March 3, 2017

RN John Lombard did not follow his training by disregarding my health and safety by violating my rights. On 3/3/17, he initially refused to evaluate me when I declared medical emergency due to experiencing acute urinary retention. According to RTU manual I am entitled to emergency sick calls. When he did finally see me, he wasn't sincere about helping me get catheterized or getting me to a hospital or any medical facility to assist me. He did not use a bladder scanner to figure out why I was complaining.

Nurse John Lombard has the right and obligation to notify the Warden and then the Commissioner of NH DOC if a Doctor instructs him to not follow his medical training and responsibility to care for my medical needs as a patient. I also would like to note that I never said that "urine was stuck in my dick."

Exhibit 3 – Underlying Facts

NAME: Registered Nurse Denise Downing

DATE: March 4, 2017

RN Denise Downing disregarded my health conditions and instructed me to drink more fluids while I was in acute urinary retention as was later determined by Catholic Medical Center. That instruction and compliance thereof caused me to experience pain beyond my worst nightmare. She did not follow her training and did not consider my health on any sincere level. She did not follow policy and notify all those she was at liberty to properly contact due to the poor instructions given to her on the phone by Dr. Celia Englander at the time of this contact. In her initial assessment she thought I should have been sent out to CMC. She did not follow policy or adhere to her training as a nurse. She did not catheterize me and disregarded blood in my urine. She did not provide appropriate medical care which may have included referring me to additional medical assistance available at NHSP.

NAME: Nurse Olivia Gamelin

DATE: June 17, 2017, August 20, 2017, May 5, 6, and 7, 2018, August 7, 2018, and August 30, 2018

Nurse Olivia Gamelin exhibited careless neglect and dangerous behavior in her failure to provide appropriate treatment on several occasions. On 6/17/17, I went to medical due to emergency sick call from MCN in NHSP. When I arrived at medical the Nurse Gamelin did not do her job and was unable to catheterize me. She has conceded at various points of time that she was honestly not thrilled about catheterizing me which is why I am uncomfortable with her doing this sensitive task. She at one point ordered me to go back to my unit, which I did, but the pain was unbearable so I told her I would be back upon a medical emergency because I was in urinary retention. She has a legal obligation to provide me adequate medical care. She constantly

Exhibit 3 – Underlying Facts

History

NAME: Nurse Olivia Gamelin

DATE: June 17, 2017, August 20, 2017, May 5, 6, and 7, 2018, August 7, 2018, and August 30, 2018

Nurse Olivia Gamelin exhibited careless neglect and dangerous behavior in her failure to provide appropriate treatment on several occasions. On 6/17/17, I went to medical due to emergency sick call from MCN in NHSP. When I arrived at medical the Nurse Gamelin did not do her job and was unable to catheterize me. She has conceded at various points of time that she was honestly not thrilled about catheterizing me which is why I am uncomfortable with her doing this sensitive task. She at one point ordered me to go back to my unit, which I did, but the pain was unbearable so I told her I would be back upon a medical emergency because I was in urinary retention. She has a legal obligation to provide me adequate medical care. She constantly tormented me and on one occasion she told me that her boyfriend, Officer Rubio, "would pay me a visit if I kept it up, and we both know you don't want that."

On 8/20/17 I went to medical due to my Foley catheter clogging up really bad. The Nurse Gamelin refused to properly care for me dismissing my plea for help as my penis hurt. It should be noted that on 8/27/17 I was found to have a urinary tract infection. Nurse Gamelin did not do her job and did not follow her training.

On 5/5 -7, 2018 while being housed in the SHU on I-Tier which is totally unsanitary, Nurse Gamelin refused to provide me the number of catheters I need to empty my bladder. She was content to give me only one catheter to last for a day and night. She also told me to catheterize myself in a filthy room which resulted in urine on the floor. Cleaning supplies were also denied.

Exhibit 3 – Underlying Facts

tormented me and on one occasion she told me that her boyfriend, Officer Rubio, “would pay me a visit if I kept it up, and we both know you don’t want that.”

On 8/20/17 I went to medical due to my Foley catheter clogging up really bad. The Nurse Gamelin refused to properly care for me dismissing my plea for help as my penis hurt. It should be noted that on 8/27/17 I was found to have a urinary tract infection. Nurse Gamelin did not do her job and did not follow her training.

On 5/5 -7, 2018 while being housed in the SHU on I-Tier which is totally unsanitary, Nurse Gamelin refused to provide me the number of catheters I need to empty my bladder. She was content to give me only one catheter to last for a day and night. She also told me to catheterize myself in a filthy room which resulted in urine on the floor. Cleaning supplies were also denied.

On August 7, 2018 on D-Call, red meds, Nurse Olivia Gamelin administered me 1200mg of Oxcarbazepine Trilecto and .2mg of Clonidine.

On 8/30/18 Nurse Gamelin ordered me to take medications amounting to an extra 1200mg of Oxcarbazepine Trilecto. This happened in the SHU on E-Tier. I was getting my Oxcarbazepine Trilecto on yellow meds as she was aware to the dangerous situation that happened in the SHU on 8-6-18 and 8-7-18. I told her I was on yellow meds but she insisted I take my meds as administered. Nurse Gamelin is careless and not concerned with the seriousness of her actions. She did not follow her training and disregarded policies.

NAME: Nurse Donna Dufresne

DATE: June 15, 2017, August 21, 2017, August 28, 2017

On 6/15/17, I went to medical and complained that my Foley catheter was not working properly. This catheter had been inserted on 5/4/17 with instructions that it be replaced every 30 days, so it was already 11 days overdue. Nurse Dufresne refused to change it despite obvious

Exhibit 3 – Underlying Facts

signs of it not working. She put me on hold because of her inability to make the right decision. I was in excruciating pain and was transported to CMC for further treatment.

On 8/21/17, I went to medical due to problems with my Foley catheter; the balloon had deflated. Nurse Dufresne removed this catheter and unsuccessfully attempted to insert a replacement over and over causing enormous pain.

On 8/28/17, due to my UTI, urine was leaking all around my catheter soaking my body and clothes. My penis was infected and needed to be cleaned constantly. She denied me any alcohol wipes and instructed me to not use any. She said to use soap and water. She gave me bad advice and did not follow her training.

NAME: Nurse Brad Bowden.

DATE: August 23, 2017, August 26, 2017, September 11, 2017, 3/10/18, 5/3/18, 9/10/18, 9/14/18 and 9/23/18

On 8/23/17 Nurse Bowden harassed me and refused me medical care by intimidating me while he was out of control. I exhibited symptoms of urinary tract infection due to failure of my Foley catheter which was leaking. Nurse Bowden accused me of lying about my symptoms. His nursing notes of 8/26/17 contradict his notes of 8/23/17.

On 8/26/17 Nurse Bowden harassed me further while denying me adequate health care. The problem was subsequently determined to be a urinary tract infection. He put his hands in my face as recorded by video camera in the hallway by the nursing station. He violated my 8th and 14th Amendment rights.

On 9/11/17 Nurse Bowden jammed his finger into my right arm repeatedly. He did this two different times minutes apart. Both times were on video and happened in front of staff working

Exhibit 3 – Underlying Facts

inside NHSP Concord officers witnessed the first time. The second time was in front of medical personnel including Nurse Coordinator Ryan Landry. Nurse Bowden later intimidated me by pushing me in my wheel chair wildly and out of control, really fast and scary. Again, this action is on video in the hallway.

On 3/10/18 which was a supply day, I went to medical to retrieve my self-catheters. Upon arrival, Nurse Bowden refused me the prescribed number of self-catheters by the urologist; he gave me 10 and instructed me not to return until the following Saturday. I told him this amount would not last but he said he didn't care and not to come back for any more.

On 5/3/18 Nurse Bowden denied me any self-catheters despite my needing and begging for them.

On 9/10/18 Nurse Bowden intimidated me at medical. He refused me adequate health care and did not follow his training.

On 9/14/18 Nurse Bowden tried to start an argument with me by creating one. He said openly with sarcasm "Oh, it's you again". He was dismissive of all my health concerns and refused to address my medical matters in an appropriate manner. I was not able to deal with him because of his irrational behavior.

On 9/23/18 I went to medical to get self-catheter supplies. Nurse Bowden accused me of playing games because I brought used catheters to swap for new ones as previously requested by medical staff. He instructed me not to bring used catheters. I requested that this be put into writing to eliminate the inconsistent directives. He refused to do so. Corporal Martin was present during this exchange and how Brad Bowden degraded me. (Please note that other

Exhibit 3 – Underlying Facts

nurses had instructed me to keep catheters for certain a length of time in order to trade them in on new ones, as unsanitary as that sounds.)

Name: Nurse Karen Carr

On 8/6/18, the Nurse Karen Carr on D-call, Red Meds, issued me 1200mg of Oxcarbazepine Trilecto and .4mg of Clonidine despite my prescription from only being 2400mg Oxcarbazepine Trilecto and .4 of Clonidine. I was being administered Oxcarbazepine Trilecto and Clonidine through yellow meds by Correctional Officers. She overly medicated my and disregarded her training.

Name: Nurse Fallon Marchand

On 8/6/18, the Nurse Fallon Marchand on A-call, Red Meds, issued me 1200mg of Oxcarbazepine Trilecto and .4mg of Clonidine despite my prescription from only being 2400mg Oxcarbazepine Trilecto and .4 of Clonidine. I was being administered Oxcarbazepine Trilecto and Clonidine through yellow meds by Correctional Officers. She overly medicated my and disregarded her training.

Name: Nurse Martha Barbosa

On 8/7/18, the Nurse Martha Barbosa on A-call, Red Meds, issued me 1200mg of Oxcarbazepine Trilecto and .4mg of Clonidine despite my prescription from only being 2400mg Oxcarbazepine Trilecto and .4 of Clonidine. I was being administered Oxcarbazepine Trilecto and Clonidine through yellow meds by Correctional Officers. She overly medicated my and disregarded her training.

NAME: Nurse Ellen Halle-Cocoran
DATE: March 10, 2018

Exhibit 3 – Underlying Facts

On Saturday 3/10/18, I was given 10 self-catheters and told to make them last until the following Saturday. Having run out by 3/14/18, I was given only six self-catheters to utilize for the rest of the week. This is far short of the Specialist Order of 6 self-catheters per day. By refusing to provide the prescribed number of catheters, Nurse Ellen Halle-Cocoran put me in harm's way by failure to recognize the urology issue of a dysfunctional bladder.

NAME: Registered Nurse Nancy Clayman

DATE: May 4, 2018

RN Nancy Clayman denied me supplies which I need for my urology issues. She was demeaning and threatened to have my mother fined and penalized by New Hampshire. She told me not to be telling my mother about medical problems with staff. She told me to be a man and quit getting my mother to intervene when I feel my rights were not being upheld due to not receiving adequate medical care at various times. She told me I had no rights. She did not listen to my concerns in regards to medical matters. Instead of helping me with supplies and medical care, she degraded me and disrespected my mother. My mother has a legal right to complain about matters to NH DOC personnel and also has a legal right to notify proper medical staff if I'm being denied medical attention to a point where my bladder feels like it might explode due to not being able to completely void. She was rude and had told me previously that she thinks I deserve a life sentence despite not knowing anything about me or my armed robbery charge which should not be her concern according to many Policies, Procedures and Directives.

NAME: Nurse Jane Dillon

DATE: February 25, 2018, May 5, 6, and 7, 2018

While in the SHU, Nurse Jane Dillon was one of the nurses who allowed me only one self-catheter per day. This is wrong. She had an enormous attitude and wouldn't help me despite

Exhibit 3 – Underlying Facts

telling her my bladder felt full and I needed a Foley. She didn't care for my well-being and didn't follow her training.

I also tried to tell her of the filthy conditions on I Tier which increased the chance for infection. She said the conditions were not a medical matter and that my desire to catheterize myself in a fairly clean space was preposterous. She did not help me obtain any cleaning supplies, despite knowing that the CO's refuse to provide us with them, as is self-evident

On 2/25/18 the Nurse Jane Dillon encouraged me to not self-catheterize myself two or three times a day. I explained that when my bladder builds up urine, it retains some of it and doesn't void fully as it should. She acted like I was an imbecile and told me to try to not catheterize myself as much which was not in accordance of medical orders from a doctor. She put me at risk for infection by doing this. For a short period of time, I actually listened to her, like a fool. It's pretty sad that I can't trust a registered nurse.

NAME: Registered Nurse Tina Crissfulli
DATE: August 26, 2017, September 15, 2017

On 8/26/17 I went to medical due to an emergency with my Foley catheter which was plugging up resulting in leakage. Nurse Brad Bowden who assisted Nurse Crissfulli was out of control. Nurse Crissfulli witnessed me beg to demonstrate the leakage and allowed Nurse Bowden to invade my personal space behind the curtain. I felt that I was going to be accused of something inappropriate because Nurse Crissfulli nodded her head in agreement when Nurse Bowden accused me of having a twisted agenda. The next day I was diagnosed with a UTI (urinary tract infection).

On 9/15/17 Nurse Crissfulli participated in gossip with personnel from Manchester Urology. She spoke to Mrs. Dupont according to nursing notes dated 9/15/17. They spoke about my mother

Exhibit 3 – Underlying Facts

who has the power of attorney giving her the right to inquire about my medical information.

Nurse Crissfulli has always dealt with me with prejudice. She allows her bias to get in the way of identifying and treating my medical issues which puts me at risk. She previously was a CO at NHSP and is prejudice against inmates and their charges. She has told me on several occasions that I get what I deserve.

Name: Registered Nurse Wendy Gioux

On 3/2/17, Registered Nurse Wendy Gioux failed to identify Urinary Retention which regressed into acute urinary retention. On other dates that I asked her to catheterize me due to my Foley Catheter clogging up and needing to be changed. She rudely told me she didn't feel like it and refused to help me. On 6/8/17, she claimed to have offered me a chance to change to my Foley Catheter, which is false. She never offered that option to me. She has falsified records and distorted the truth in regards to the subject matter. Registered Nurse Wendy Gioux is responsible for many situations that ultimately neglected me due to incompetence.

NAME: Nurse Veronica Paris

DATE: July 19, 2017, August 28, 2017, and September 5, 2017

On 7/19/17, I went to medical due to difficulties urinating due to my Foley catheter was not working properly. Urine had gotten on my pants and leg. She refused to let me wash up so I wouldn't be humiliated by returning to MCN with urine all over me. People laughed at me when I returned. Nurse Paris said she didn't care and was content with me returning with urine all over me.

Exhibit 3 – Underlying Facts

On 8/28/17 I explained to Nurse Paris that due to my urinary tract infection, urine was leaking around the site. She did not give me an alcohol pads to clean myself. The urologists have instructed me to sanitize the area before use, in order to prevent infection.

On 9/5/17 I went to medical due to what was determined to be a urinary tract infection. My Foley catheter was blocked causing voiding issues. She was initially acting like it was my fault that this was happening and did not help me.

NAME: Doctor Jeffrey Fetter

DATE: August 21, 2017

Dr. Fetter inflicted trauma on my penis by unsuccessfully catheterizing me over and over. Dr. Fetter tried nonstop despite me telling him I couldn't take it anymore. The nurse coordinator at the time, Ryan Landry had to intervene because Dr. Fetter could not figure out how to properly do it. I was in an enormous amount of agony. Subsequent to his failure to successfully catheterize me I got a urinary tract infection. I was denied proper treatment by Dr. Fetter and did not get any help for my UTI for approximately one week despite me complaining to Medical of experiencing urinary retention. My Foley Catheter was clogged causing serious leakage when I voided. Dr. Fetter never took my complaints seriously when I had various interactions with him and he did not take my medical appointments seriously. I did not receive the number of self-catheters needed, nor was my Foley catheter changed every 30 days per medical advice.

Name: Various Correction Officers:

The Correction Officers in the SHU administered me yellow meds at A and D call on 8/6/18 and 8/7/18. This was dangerous and illegal, as correctional officers are not allowed to give psychological and pain medications. The Correction Officers administered me a total of 4800mg

Exhibit 3 – Underlying Facts

Oxcarbazepine Trilecto + .8mg Clonidine on yellow meds (A and D call). They did not coordinate with medical to realize that I was being given Red meds. My prescription was only for 2400mg of Oxcarbazepine Trilecto and .4mg of Clonidine. This is an excessive amount because I also received the same dosage of medication from Red meds with Nursing staff. In a 48 hour period I received a total of 9600mg of Oxcarbazepine Trilecto and 1.6 mg of Clonidine. Due to the inappropriate administering of pain and psychological medication, Correctional Staff is not permitted to administer pain and Psychological meds. This is an official complaint against every officer who administered me yellow meds. Every Correctional Officer who administered me yellow meds is in complete violation of PBD's 1.01, 1.33, 2.30, 2.39, 4.02, 5.91, 5.95, 6.62, 6.85, 7.32. They are also in violation of Standards and Procedures and their training.

Name: Correction Officers Captain Boynton:

Captain Boynton is responsible for the administering of psychological medication and pain meds being dispersed to inmates through correctional staff. He is also responsible for denying me cleaning supplies (so that I could have a sanitary place to catheterize myself), not getting me daily showers, and denying me access to medical attention despite me begging for it because I didn't have enough self-catheters. He is also responsible for the showers not being cleaned. He is responsible for allowing Sargent Turcotte to threaten to beat me up (please note that Turcotte is a Lieutenant now). Captain Boynton is also responsible for allowing Lieutenant Lidick to threaten to send me back to Florida, knowing that I am an interstate compact inmate and that sending me back to Florida would result in me being murdered. He has interfered with my grievances to the Warden and the grievance to the Director Paula Mattis. He is also responsible for allowing the many times when I was housed on J-tier in the SHU of toilet water from the drains flooding the tier all the way into our cells and being left in that situation for hours with no offer of any cleaning supplies. My catheters were contaminated due to the water and I still had

Exhibit 3 – Underlying Facts

to use them. Camera footage will show my claim. I was also denied inmate request slips and grievance forms many times. On 8/6/18 and 8/7/18, I never left my room due to the over administration of meds (Sargent Bataski witnessed Lieutenant Lidick threaten me that by filing grievances and making complaints is how I get sent back to Florida. Lieutenant Lidick and Captain Boynton were very persistent on me not following through with a complaint on Sargent Turcotte.)

Name: Correction Officer Lieutenant Lidick:

Lieutenant Lidick is responsible for the administering of psychological medication and pain meds being dispersed to inmates through correctional staff. He is also responsible for denying me cleaning supplies (so that I could have a sanitary place to catheterize myself), not getting me daily showers, and denying me access to medical attention despite me begging for it because I didn't have enough self-catheters. He is also responsible for the showers not being cleaned. He is responsible for allowing Sargent Turcotte to threaten to beat me up and still let him work near me within the unit. Lieutenant Lidick threaten to send me back to Florida, knowing that I am an interstate compact inmate and that sending me back to Florida would result in me being murdered. He has interfered with my grievances to the Warden and the grievance to the Director Paula Mattis. He is also responsible for allowing the many times when I was housed on J-tier in the SHU of toilet water from the drains flooding the tier all the way into our cells and being left in that situation for hours with no offer of any cleaning supplies. My catheters were contaminated due to the water and I still had to use them. Camera footage will show my claim. I was also denied inmate request slips and grievance forms many times. On 8/6/18 and 8/7/18 I never left my room due to the over administration of meds.

Name: Correction Officer Sargent Turcotte:

Exhibit 3 – Underlying Facts

Sargent Turcotte is responsible for the administering of psychological medication and pain meds being dispersed to inmates through correctional staff. He is also responsible for denying me cleaning supplies (so that I could have a sanitary place to catheterize myself), not getting me daily showers, and denying me access to medical attention despite me begging for it because I didn't have enough self-catheters. He is also responsible for the showers not being cleaned. He has threatened to beat me up. He has interfered with my grievances to the Warden and the grievance to the Director Paula Mattis. He is also responsible for allowing the many times when I was housed on J-tier in the SHU of toilet water from the drains flooding the tier all the way into our cells and being left in that situation for hours with no offer of any cleaning supplies. My catheters were contaminated due to the water and I still had to use them. Camera footage will show my claim. I was also denied inmate request slips and grievance forms many times. On 8/6/18 and 8/7/18, I never left my room due to the over administration of meds.

Name: Director Paula Mattis

This is an official complaint on the Director of Medical and Forensic Services, Mrs. Paula Mattis. For the situation that occurred on 3/2/17, 3/3/17, 3/4/17, 6/15/17, 6/17/17, 8/20/17 – 8/28/17, 9/5/17, 9/11/17, 9/15/17, 2/25/18, 3/10/18, 5/3/18, 5/4/18, 5/5/18, 5/6/18, 5/7/18, 8/6/18, 8/7/18, 8/30/18, 9/4/18, 9/10/18, 9/14/18, 9/23/18, 9/10/18, which directly involved Dr. Celia Englander, who prevented me from getting adequate health care by causing me to suffer with the sharp pain of Acute Urinary Retention. Dr. Englander did not instruct the nurses John Lombard, and Denise Downing to provide appropriate care.

Director Paula Mattis is responsible for the situation that occurred 6/15/17 & 6/17/2017. On 5/4/17, my Foley catheter was inserted so by 6/15/17 it began to really hurt and cause Urinary retention. Because it was way past the 30th day, On 6/17/17 when I went to medical at

Exhibit 3 – Underlying Facts

10:46pm, I was in Urinary Retention again and was forced to go to CMC for medical attention because Olivia Gamelin was not comfortable and refused to catheterize me. Urine got on me, due to my bladder busting and went all over my clothes, so much so, CMC had to replace my clothes. I was degraded in an inhumane fashion. This was not the 1st time my Foley catheter wasn't changed on time which resulted in retention, UTIs, and pain.

Director Paula Mattis is also responsible for the situation that occurred on 8/20/18- 8/28/18, which entailed having a Urinary Tract Infection for 8 Days before receiving medical attention.

Director Paula Mattis is also responsible for my medical supplies running out on many different occasions.

Director Paula Mattis is also responsible for me not receiving all my appointments and me not having gone to a neuro-urologist. She is also responsible for the inappropriate dispensing of medication that is occurring in the SHU of New Hampshire State Prison of pain and Psychological meds at yellow meds by correctional officers every day. Director Mattis is responsible for me being overly medicated on J-Tier, cell 7 of NH State Prison on 8/6/18, 8/7/18 and 8/30/18 (on E-Tier in the SHU of NHSP). On 8/6 and 8/7 of 2018, I received a total of 9600 mg of Oxcarbazepine Trilecto and 1.6 of Clonidine. This was because I was administered on Red meds and Yellow meds. On 8/30/18, I was given an additional 1200mg of Oxcarbazepine Trilecto from Nurse Olivia Gamelin on E Tier.

Name: Commissioner Helen Hanks

2/25/18, 3/10/18, 5/3/18, 5/4/18, 5/5/18, 5/6/18, 5/7/18, 8/6/18, 8/7/18, 8/30/18, 9/4/18, 9/10/18, 9/14/18, 9/23/18, 9/10/18, which directly involved Dr. Celia Englander, who prevented me from getting adequate health care by causing me to suffer with the sharp pain of

Exhibit 3 – Underlying Facts

Acute Urinary Retention. Dr. Englander did not instruct the nurses Wendy Giroux, John Lombard, and Denise Downing to provide appropriate care.

Commissioner Helen Hanks is responsible for the situation that occurred 8/20/18 – 8/28/18. On 5/4/17 my Foley Catheter was inserted and was not removed until 6/17/17. Because it was 13 days late, I went into Urinary Retention again and was forced to go to CMC for medical attention. Urine got on me, due to my bladder busting and went all over my clothes, so much so, CMC had to replace my clothes. I was degraded in an inhumane fashion. This was not the 1st time my Foley catheter wasn't changed on time which resulted in retention, UTIs, and pain.

Commissioner Helen Hanks is also responsible for the situation that occurred on 8/20 - 8/28/2018, which entailed having a Urinary Tract Infection for 8 Days before receiving medical attention.

Commissioner Helen Hanks is also responsible for my medical supplies running out on many different occasions.

Commissioner Helen Hanks is also responsible for me not receiving all my appointments and me not having gone to a neuro-urologist. She is also responsible for the inappropriate dispensing of medication that is occurring in the SHU of New Hampshire State Prison of pain and Psychological meds at yellow meds by correctional officers every day. Commissioner Helen Hanks is responsible for me being overly medicated on J-Tier, cell 7 of NH State Prison on 8/6/18, 8/7/18 and 8/30/18 (This was on E-Tier). On 8/6 and 8/7 of 2018, I received a total of 9600 mg of Oxcarbazepine Trilecto and 1.6mg of Clonidine. This was because I was administered on Red meds and Yellow meds. On 8/30/18, I was given an additional 1200mg of Oxcarbazepine Trilecto from Nurse Olivia Gamelin on E Tier. She is also responsible for the filthy conditions in the SHU.

Exhibit 3 – Underlying Facts

She is also responsible for having the office of the Deputy Director Vacant.

NAME: Commissioner William Wren

This is an official complaint on the Commissioner William Wren for the situation that occurred on 3/2/17, 3/3/17, 3/4/17, 6/15/17, 6/17/17, 8/20/17 – 8/28/17, 9/5/17, 9/11/17, 9/15/17. He is responsible Dr. Celia Englander, who prevented me from getting adequate health care on 3/3 and 3/4/17 involving Nurses John Lombard and Denise Downing. Dr. Englander caused me to suffer with the sharp pain of Acute Urinary Retention. He is responsible for not having the proper equipment for example a bladder scanner. He is also responsible for the filthy conditions in the SHU.

NAME: Warden Michael Zenk

He is responsible for the situation that happened on 3/3 and 3/4/17 due to the correctional officers' not getting me enough medical help, despite witnessing the trauma of blood trickling from my penis and me begging for help and my cell door for hours. He is responsible for all situations that occurred during his tenure from 2016 – 2018. All situations have been fully explained in the complaints above. He is also responsible for the filthy conditions in the SHU.

NAME: Warden Michelle Edmark

She is responsible for the administration of the meds in the SHU and all situations that occurred during her tenure from 2018 – present. All situations have been fully explained in the

Exhibit 3 – Underlying Facts

complaints above. She is also responsible for the filthy conditions in the SHU. She is also responsible for allowing Captain Boynton, Lieutenant Lidick, and Sargent Turcotte for denying inmates inmate request slips and grievances and for allowing them to establish a culture that 's abusive and cruel. When inmates do fill out grievances they are constantly interfered with and that cleaning supplies are not sufficiently given on I and J Tier in the SHU. She is also for responsible allowing staff to steal property from inmates and give it to inmate workers and for allowing workers who live in the SHU to take food from inmates who are housed in the SHU.

Name: Director Lynmarie Cusack:

She is responsible for all situations that occurred during her tenure from 2017 – present. All situations have been fully explained in the complaints above.

He is responsible for the administration of the yellow meds in the SHU and all situations that occurred during her tenure from 2018 – present. All situations have been fully explained in the complaints above.

Name: Nurse Coordinator Ryan Landry:

He is responsible for all situations that occurred during his tenure from 2017 to 2018. All situations have been fully explained in the complaints above. He is also responsible for the administration of the yellow meds in the SHU and he is responsible for allowing Nurse Brad Bowden from physically being aggressive towards me.

Name: Ann Marie McCoolle:

Exhibit 3 – Underlying Facts

She was very unhelpful in every interaction I ever had with her and extremely unprofessional. She was very rude and disregarded my attempt to get medical attention every time I needed it. She always got in the way of me getting help. She is responsible for violating 2.30, 4.02, 7.32.

Name: Douglas Laidlaw:

Please test him to see if he can pass a medical exam because he is extremely incompetent and doesn't seem to comprehend basic information concerning medical matters. I literally am asking this not to be smart or hateful, but he really does show signs of Down Syndrome. Please see if he is qualified for his position.

Name: Barbara Slayton

She is extremely rude and does not carry herself with concern for my mental health. Every time I dealt with her, she was very disrespectful and insincere. She is responsible for violating 2.30, 2.39, 4.02, 7.32.

Name: Nurse Coordinator, Carlene Ferrier

She is responsible for anything that happened to me concerning medical matters during her tenure. If she was there in 8/6/18, 8/7/18 and 8/30/18, she is responsible for me being over medicated by correctional officers and nurses in the SHU.